

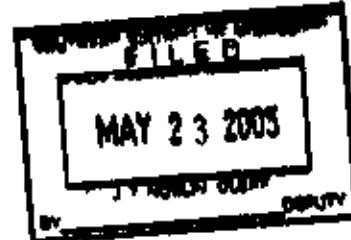
## FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

## COMPLAINT

William L. Johnson 100073  
Pierce B. Haynes 13437  
James Ruth 77 101324

(Enter above the full name of the plaintiff or plaintiffs and prisoner number of each plaintiff in this action)



v.

CIVIL ACTION NUMBER: 3:05cv304-HTW-JCS

(to be completed by the Court)

3- Warden Donald Jackson  
Walnut Grove Youth Correctional Facility

(Enter above the full name of the defendant or defendants in this action)

## OTHER LAWSUITS FILED BY PLAINTIFF

## NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

A. Have you ever filed any other lawsuits in a court of the United States? Yes ( ) No (✓)

B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

1. Parties to the action: \_\_\_\_\_

N/A

2. Court (if federal court, name the district; if state court, name the county): \_\_\_\_\_

N/A

3. Docket Number: \_\_\_\_\_

N/A

4. Name of judge to whom case was assigned: \_\_\_\_\_

N/A

5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): \_\_\_\_\_

N/A

**PARTIES**

Item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any.

I. Name of plaintiff: William L. Johnson Prisoner Number: 100073

Address: W.L.Y.C. P.D. B. 369

Walnut Grove, MS 39189

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: Dr. Warden Donald Jackson is employed as

Dr. Warden at Walnut Grove

Youth Correctional Facility

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

**PLAINTIFF(S):****NAME:**

William L. Johnson 100073

**ADDRESS:**

P.O. Box 339, Walnut Grove, MS 39189

Eric R. Haynes 13437

P.O. Box 339, Walnut Grove, MS 39189

James R. Bell 17 101824

P.O. Box 339, Walnut Grove, MS 39189

**DEFENDANT(S):****NAME:**

Dr. Warden Donald Jackson

**ADDRESS:**

1650 Hwy 532, Walnut Grove, MS 39189

## ADMINISTRATIVE REMEDIES PROGRAM

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes (  ) No (  )

B. Are you presently incarcerated for a parole or probation violation?

Yes (  ) No (  )

C. Did you present the facts relating to your complaint in the administrative or grievance procedure in your institution?

Yes (  ) No (  )

1. If you answer to C is yes,

a. State the date your claims were presented: March 01, 2005 + March 29, 2005

b. State how your claims were presented. (Written request, verbal request, request for forms)

Written requests

c. State the result of that procedure. (You must attach a copy of the final result, such as a certificate from the administrator of the Administrative Remedies Program stating that you have exhausted your administrative remedies.)

We never received a response on either A.R.P.

2. If you have not filed a grievance, state the reasons:

N/A

## STATEMENT OF CLAIM

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

The Defendant, S. Warden Donald Jackson, violated this by willfully, knowingly, and unlawfully breaking the 1<sup>st</sup> Amendment of the U.S. Constitution-Bill of Rights which states, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, etc." First of all Warden Jackson violated by terminating the previously employed Imam Shabazz and is not showing any effort in hiring a new Imam to replace Imam Shabazz while Imam Shabazz was still employed here at W.P.Y.C.T. Warden Jackson was prohibiting -

(Continued on additional page attached to back of form)

## RELIEF

State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

We would like for a full-time Imam to be hired. We would like to be able to express our religion physically as in being able to grow hair and beard, wear turbans, purchase prayer rugs, Al-Qurans, and prayer beads, etc. We would like the new Imam, preferably Imam Shabazz, to be able to move about the facility, to be able to hold Jumu'ah and Jumu'ah services daily for A,B,C, & D custody inmates. Stop serving pork.

Signed this 23 day of Apr. 1, 2005.

William L Johnson 100073  
Paula D. Hayes #113423  
Connie Pateiff 101824  
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

04-23-2005  
(Date)

William L Johnson 100073  
Paula D. Hayes #113423  
Connie Pateiff 101824  
Signature of plaintiff(s)

(Continuation of "Statement of Claim" on page 4)

~~on~~ the free exercise of Al-Islam because ~~he~~ he did restrict Ta'leem and Ijmaa services to 27 inmates and did require a list of names for inmates who attended these religious service. There were a great number of inmates that wanted to attend these services, but couldn't due to the fact that their names were not on the list. We, the Muslim inmates, here at W.G.Y.C.F. don't feel that this was fair because he didn't restrict Christian services to 27 inmates or did he require a list for Christian services. Warden Jackson also restricted the previously employed Imam, Shahid A. Shabazz from moving about the Facility and from visiting the Muslim inmate on C and D custody. We also don't feel that this was fair because the Chaplain is free to go about Facility as he pleases and also is he allowed to preach to inmates on C and D custody. We don't feel that this was fair because Imam Shabazz was on the payroll just as Chaplain Mann is.

End of statement

STATE OF MISSISSIPPI

COUNTY OF Lake

AFFIDAVIT

PERSONALLY appeared before me the undersigned authority in and for the aforesaid jurisdiction, William L. Johnson, who being duly sworn by me does depose and state the following:

I, William L. Johnson, do hereby state that the following is true and correct to the best of my belief and knowledge.

I'm writing this Affidavit to the court on my complaint. I have filed several complaints with Walnut Grove Youth Correctional Facility about the violation of my First Amendment right by denying me Islamic services. They have terminated our Imam Shabir A. Shahzad for no reason at all. We have filed several complaints on this argument, but we never get a response back from our administrative remedy requests so therefore I'm putting my faith in the court to assist me with this situation. These administrative staff at W.G.Y.C.F. abuse their authority all that is stated on this complaint with this Affidavit is true. I would like to be able to practice Al-Islam as the Christians do in this Facility I'm being housed in at this time.

Signed, this the 5 day of May, 2005.

William S. Johnson  
Signature

SWORN AND SUBSCRIBED before me, this the 5 day of  
May, 2005.

Lathonda E. Mullings  
Notary Public

My commission expires:



STATE OF MISSISSIPPI

COUNTY OF Leake

AFFIDAVIT

PERSONALLY appeared before me the undersigned authority in and for the aforesaid jurisdiction, Pierre Waynes, who being duly sworn by me does depose and state the following:

I, Pierre Waynes, do hereby state that the following is true and correct to the best of my belief and knowledge.

I am writing this Affidavit to have the court on my complaint I have filed several complaint with  
Westland Creek Youth Correctional Facility on the violation  
of my 1st Amendment Denying me at my religion at  
muslim service. They have terminated our Imam  
Shahid O. Shabazz for no reason at all we have  
filed several complaints on this argument But one  
recoment for Administrative Remedy always get  
destroyed because we never get an answer for  
that complaint so therefore I am putting my facts  
in the court for assisting me on this complaint. They  
authorized (DOC) about there authority at the GYCF  
All that is stated on this complaint with this  
Affidavit is true I would like to practice my  
religion or the Christians in this Facility I am being

burned in at this time

Signed, this the 5 day of May, 2005.

Paul R. Hayes  
Signature

Signature

SWORN AND SUBSCRIBED before me, this the 5 day of  
May, 2005.

LaShunda E. Melissey  
Notary Public

My commission expires:

1974-09-26 10:00:00

STATE OF MISSISSIPPI

COUNTY OF Leake

AFFIDAVIT

PERSONALLY appeared before me the undersigned authority in and for the aforesaid jurisdiction, James P. Pratliff, who being duly sworn by me does depose and state the following:

I, James Pratliff, do hereby state that the following is true and correct to the best of my belief and knowledge.

I'm writing this affidavit to brief the court on my complaint. I have filed several complaints with W.G.Y.C.E about the violations of my first Amendment by denying me freedom to practice my belief, by stopping Islamic Services. They have terminated our Imam, Shabazz out of discrimination and many unjust flaws. We have filed several complaints on this argument, but we never get a response back from our administrative remedy requests so therefore I'm putting my faith in the court to assist me with this situation. The administrative staff at W.G.Y.C.E abuse their authority in a wrongful negative way which result in untreatedment which is the root of which this issue occurred. All that is stated in this complaint with this Affidavit is true. I would like to be able to practice

Al-Islam as the Christians practice Christianity in this facility. I'm being housed in it this time.

Signed, this the 5 day of May, 2005

James Pratlyff  
Signature

SWORN AND SUBSCRIBED before me, this the 5 day of  
May, 2005.

Lathonda M. Isay  
Notary Public

NOTARY PUBLIC STATE OF MICHIGAN AT LARGE  
MY COMMISSION EXPIRES: Sep 14, 2008  
BONDED THRU NOTARY PUBLIC UNDERWRITERS



## THIS A REQUEST FOR ADMINISTRATIVE REMEDY

William L. Jackson

INMATE NAME

100023

MDOC #

6-Alpha-24

UNIT/CELL

March 29, 2005

DATE

DATE OF INCIDENT: March 29, 2005

TIME OF INCIDENT: 8:30 p.m.

PLACE OF INCIDENT: W.L.C.Y.C.P.

COMPLAINTON Warden Donald Jackson

## STATEMENT

I, William L. Jackson, inmate no. 100023, on the above date and approximate time am filing this A.R.P. on Warden Donald Jackson, at, Walnut Grove Youth Correctional Facility, for his willfully, knowingly, unlawfully, and feloniously breaking at, our First Amendment Right which states "Congress shall not pass no law respecting an establishment of religion or prohibit the free exercise thereof, etc." (See Case No. 05-1722, O'Toole, Administrator, Lexington Prison Complex, Et. Al. v. Estate of Shabazz, Et Al.)

First of all, Warden Jackson, terminated the previous Muslim Imam, Imam Q Shabazz, for reasons that I'm not aware of and he, refused to replace Shabazz, with another Imam. This constitutes a major problem for me and other inmates because this is Islam is the religion that we pursue and this complicates the way we practice our beliefs.

While, Imam Shabazz, was still employed here at W.L.C.Y.C.P. and we were practicing our Islamic services, Warden Jackson, was still willfully, knowingly, unlawfully, and feloniously violating our First Amendment Right when it stated that "Congress shall not pass a law prohibiting the free exercise of religion" because he did limit our Islamic services to 27 inmates. The only inmates that could attend our services were the ones that were named on the Jumu'at/even attendance call. There were a great number of inmates that wanted to

## RELIEF SOUGHT

I would like to file an class act civil-suit along with Peerless Mayers inmate no. L3437 against Walnut Grove Youth Correctional Facility for violation of our right to practice religion. Thank You very much.

"Amended to future A.R.P."  
attend Ju'ma/Taleem services, but couldn't  
due to the circumstance that their name were  
not enlisted on the attendance roll. Again, this  
is just evidence of how Warden, Donald Jackson,  
Violated our First Amendment Right of the  
United States Bill of Rights, when it states that  
"Congress will not pass no law prohibiting the  
free exercise of religion" because he did  
prohibit the free exercise of religion here at  
Walnut Grove Truth Correctional Facility.

Also while, Imam Snabazz, was still employed  
here at W.G.T.C.F., Warden Jackson, did willfully,  
knowingly, unlawfully, and feloniously violate our  
First Amendment Right when it states that "congress  
shall not pass no law respecting ~~an~~ establishment  
of religion" because, Warden Jackson, didn't require  
the names of inmates attending Christian Services  
to be on a attendance roll or did he not limit  
Christian services to 25 inmates as in the same  
way that he required a list for Ju'ma/Taleem  
Services and did limit Ju'ma/Taleem services  
to 25 inmates. Therefore, Warden Jackson, was  
proved, to have violated our First Amendment  
Right of the United State's Bill of Rights -

"Amendment to future A.R.P." when it states "Congress shall make no laws respecting an establishment of religion" because Warden Jackson, did show respect to Christianity over the Nation of Islam.

The previous time that I filed a A.R.P. I am on this exact same matter I never did get an response. There ~~that~~ are a lot of illegally and feloniously things that take place within the administrative personnel at this facility so I don't know if they disposed of the A.R.P. or what. Therefore I'm stating that I plan to take this A.R.P. all the way to the third step ~~and~~ just incase this A.R.P. just so happened to get dropped it will be known that it was not me, but one of their unlawful felonious ~~and~~ schemes to try and cover up the cruel and unusual punishment shown to the inmates of W.W.Y.C.F. They being the administrative personnel at W.W.Y.C.F.

I do hereby state that by the Almighty God I do solemnly swear that everything stated in this document is true and that I have evidence to help it stand in any court of law. —

"Amended to Before M.S.P."

"Certified"

I, William L. Johnson inmate no. 100073, do hereby certify that I have this the 29<sup>th</sup> day of March, 2005 mailed a true and <sup>correct</sup> ~~correct~~ copy of the above and foregoing brief of this A.R.R. to, Harry C. Hardy, Legal Claims Adjudicator, Administrative Remedy Program, P.O. Box 609, Parchman, MS 38738.

Respectively Submitted

William L. Johnson (100073)

William Johnson (100073)



Cornell Companies, Inc.  
1700 West Loop South • Suite 1500 • Houston, Texas 77027

## Memo

Date: January 20, 2005

To: All Captains and Lieutenants

From: Chaplain Mann *(N)*

Subject: Islamic Residents

Please be advised that on today, January 20, 2005, Imam Shabazz gave me a list of residents that are Islamic residents.

1. Pierre Haynes ~ 6A
2. Samuel Reed ~ 6A
3. James Railiff ~ 6A
4. William Johnson ~ 6A
5. Quinn McNeal ~ 6A
6. Everett Rivers ~ 6D
7. Glenn Thurman ~ 6D
8. Christopher Smith ~ 6C
9. Michael Smith ~ 6C
10. Jimmy Fisher ~ 6C
11. Jeremy Murray ~ 6D
12. Brian Robinson ~ 5B
13. Rickey Deloney ~ 7D
14. Michael Ross ~ 7C
15. Eric Jackson ~ 7C
16. Sedric Lewis ~ 7C
17. Frankee Brown ~ 7C
18. Gavian Stovall ~ 7C
19. Travis Lowe ~ 7B
20. James Musgrove ~ 7D
21. Willie Powell ~ 6D
22. Orlando Thomas ~ 6A
23. Cortez Williams ~ 7C
24. LaCharleston Stubbs ~ 6C
25. Markenih Pass ~ 6B ~ 8C
26. Antwan Watkins ~ 7D
27. Roddrick Hibble ~ 6C

Anthony Hause ~ 6C ~ 8C

Leanne Bobb ~ 6C

Victor Cunningham 6B 15

Rickey Mays 7B 16

**WALNUT YOUTH CORRECTIONAL FACILITY  
ADMINISTRATIVE REMEDY PROGRAM**

THIS A REQUEST FOR ADMINISTRATIVE REMEDY

Pierre Hayes  
INMATE NAME

1<sup>st</sup> 3937  
INDOC#

6-A-24  
UNIT/CELL

March 1<sup>st</sup> 2005  
DATE

DATE OF INCIDENT: March 1<sup>st</sup> 2005

TIME OF INCIDENT: 6:30pm

PLACE OF INCIDENT: W.Y.C.F.

COMPLAINT ON Warden Jackson

STATEMENT:

I, Pierre Hayes, I am a Muslim and I am a follower of Islam. I am filing this A.R.P. for Warden Donald Jackson at W.Y.C.F. For his willfully, unlawfully and feloniously breaking of our First Amendment U.S. Constitution Bill of Rights (congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for redress of grievances.) See case number 4:92-cv-4-a / 4:95-cv-283-p-a

"Warden Donald Jackson" terminated our previous Muslim Imam, Shabazz and is trying to replace him. Islam is the religion that I practice and he has complicated the way I practice my beliefs because I do not know nobody to talk to. Islam while Imam Shabazz was still employed here at Walnut (Youth Correctional Facility) made a list for the inmates to attend Islamic Services and my name wasn't on the list you can't attend Islamic Services when I go to Muslim Services The Christian Officer's harass the Muslim inmates during our holy service but when it comes to the Christian Services they don't have any problems coming or going. They have Officer's standing in security with the radio up and threatening us while in service and none of this relief sought:

I would like to file a Civil Act against Warden William Johnson and the Warden of this A.R.P.

Page 2<sup>nd</sup> of A.R.P.

happen in Christian Services. He tries to force Christian upon the Muslim. He also stop the Imam Shabazz from going to C-D custody inmates.

Respectfully Submitted

Paul Hayne L# 3437

Post office Box 389

Walnut Grove MS. 39189

2<sup>nd</sup> of A.R.P.

Dear

January 27, 2005

Ronald R. Welch

Samuel Bell #1977, James Coffey,  
Orlando Thompson K-8918, William Johnson 100073,  
Paul Hayes #5457,  
Jimmy Murray #2480

we the above inmates are writing because we are  
in need of your assistance at (W.G.C.F) about  
Gow Yards Correctional Facility. Because one  
Civil rights First Amendment has be violated as  
Inmates. This Facility has a lot of young  
muslim, and various individuals who are turni-  
ng toward Al-Islam to learn and become  
more knowledge of different views of Islam  
in general, and there are less christian. And  
during muslim services there about 75 or close  
to 100 muslim that want to attend and as soon  
as we are lined up at the slide to proceed  
to services we are stopped by the officers  
From the bottom of the chain of command  
to the top which is the captain in that castle.  
But when Christian services come around  
between 75 or 100 christian may attend and  
will be allowed to proceed to Christian services  
with no problem whatsoever. That's a clear  
cut showing of Octibate & Inofficent. It is

in direct violation of our 1<sup>st</sup> Amendment Rights, which is the right to practice one's religious belief as in accordance with rules and guidelines nothing has been broke or breached on our part as far as we're concerned with them why do they oppress us and deny us our religious practice they can't state nothing to support these act and show justified cause. But as far as our religious right to embrace Islam has been met with harsh reprimand and hatred since the events dealing with the September 11 bombing of the world trade center and the events within the middle east during these trying times of war over sects and religion and political views and so forth But as you see all these issue are of one complete basic foundation, each a part of the other and none before the other. This will come down to this basic violation of one rights stated in the Constitutional amendment that this country was founded upon as defined down through history in this very day for all people of this nation in general and individually. Now on the 25 day of January 2003 I had a conversation with the Assistant warden, and the warden of operations because the WADP

got involved as well as the Deputy Commissioner about our right's being violated and these two warden specifically told me that they will make sure that we practice our religio-ns on Tuesday, Thursday and Friday. But now on Thursday 27 day of January the Head warden Donald Jackson says we are not going to Muslim Service because we are on lockdown but in the hallways his officer's says we are on restricted movement. we was put on lockdown because of something another inmate has done which is group punishment as Deliberate Indifference. The officer on the Zone didn't call the security down to the Zone and said she was having problem with the inmates locking down or called a code blue which is the code for fighting. That's another reason he will ~~call~~ himself locking us down. But nothing was reported. The officer won't call the shift commander the last time no that we have been called. This is a very bad thing for the above inmates.

If you need to speak with anyone please call the fireman #352 and set a meeting up with us or him.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION

KEITH GIVHAN, ET AL.,

PLAINTIFFS

VS.

CIVIL ACTION CONSOLIDATED NOS.

GC82-64-X-D  
GC82-77-X-D  
GC82-179-X-D  
GC82-180-X-D  
GC82-181-X-D  
GC83-5-X-B-D

MORRIS THIGPEN, ET AL.,

DEFENDANTS

AGREED ORDER OF SETTLEMENT AND DISMISSAL

The Court having been advised that the parties have compromised and settled the dispute arising from this cause of action, it is:

ORDERED:

That the Motion for Contempt in the above styled and numbered civil action be, and hereby is dismissed with prejudice, subject to the following provisions:

1. That in full and complete settlement of any and all claims raised or arising out of the Motion for Contempt filed by plaintiff's complaint herein, the defendants and plaintiffs agree that the Agreed Order of Settlement and Dismissal entered by this Court on November 18, 1985 be

modified as follows:

- a. Place of Worship: The defendants will allow all members of plaintiff's class, as identified by the Chaplain's Department, who are "A" and "B" custody, to attend worship services one Friday a month at the gym at Unit-29. Transportation and security will be available to carry out this requirement. All "A" and "B" custody members of the class will be allowed to congregate in their units, for the purpose of Muslim worship and/or study, on every other Friday of the month. For purposes of this order, a unit consists of all buildings within the complex (i.e. Units 29 and 30). "A" and "B" custody members of the class of all buildings will be allowed to congregate together in a designated area within that unit for the time designated. All "C" custody inmates or other inmates whose movement is restricted will be allowed to worship in their cells and possess religious materials that are consistent with the rules and regulations of the unit.
- b. Full-Time Imam: Any application for the

position of a full-time chaplain, by a Muslim Imam, will be thoroughly considered by the defendants. However, due to the fact that Mississippi Personnel Board controls qualifications for the position of chaplain, any such applicant must meet those qualifications. However, defendants will assist any applicant recommended by plaintiffs in getting approval for the position of full-time chaplain by the Mississippi Personnel Board.

c. Diet: Defendants have contracted with Valley Food Service to provide three balanced meals to all inmates, including plaintiffs. Defendants will continue to meet the Lockhart v. Hollowell, GC73-70-K, requirement of at least one (1) pork-free meal daily. Additionally, a sufficient quantity of pork-free items will be included on the other two meals per day to insure that Muslim inmates receive an adequate daily diet of no less than 2,000 calories per day. And in addition, defendants will post in each prison housing unit a copy of the daily

menu so that each member of plaintiffs' class will be advised of the meals on a daily basis. Further, the defendants agree that an Inmate Muslim Council of not more than five (5) inmates shall be elected or appointed by the inmate Muslim population, and that this Council will be allowed to communicate both by written correspondence and in person with the Deputy Superintendent of Treatment and Support Services. The Committee may present ideas and suggestions regarding issues related to the Muslim population in the MDPC to include the assurance of one (1) pork-free meal a day.

d. Hair and Beards: The defendants agree that Rule 6, Section (a), of the Inmate Handbook and Rules and Regulations, will be revised to read "mustaches will be neatly trimmed at all times. Beards and goatees in excess of 1/2 inch are not permitted for identification purposes." The defendants further agree that each of the three masters of correctional officers at Parchman will be read the directive of the Superintendent dealing with the above rule.

within thirty (30) days of this Order, and that the next printing of the Inmate Handbook and Rules and Regulations, will be revised to reflect the language of this Order concerning the growth of beards.

- e. Religious Material: Plaintiff class will be free, within the rules and regulations of the Mississippi Department of Corrections to solicit and procure funds and/or material for their religious use. Plaintiff class may wear Kufi caps, consistent with the rules on wearing of hats for the inmate population.
- f. The defendants agree that instruction on the Muslim religion and practice will be given to correctional officers in the Mississippi Department of Corrections Basic Training School.
- g. The defendants agree to post this Agreed Order of Settlement and Dismissal in each housing unit on the first month after it is signed.

2. It is expressly understood by the parties that the provisions in this Order do not constitute a "prevailing" or an admission of liability by the defendants, or a recognition

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION

KEITH GIVHAN, ET AL.,

PLAINTIFFS

v.

LEAD CASE NO. 4:82CV64-B-A

STEVE PUCKETT, ET AL.,

DEFENDANTS

CONSOLIDATED WITH  
CURTIS ANTONIO WAY, ET AL.,  
V.  
STEVE PUCKETT, ET AL.,

PLAINTIFFS  
NO. 4:95CV283-D-A  
DEFENDANTS

Plaintiffs' class counsel respectfully files this, his  
Fourth Report to The Court as follows:

1. Class counsel has previously filed: (1) a written  
interim report dated September 3, 1996; (2) an ore tenus,  
telephone report to the Court's Law Clerk on October 10,  
1996, and (3) Counsel's Third Report To The Court, dated  
October 11, 1996, all of which are incorporated by reference  
herein.

2. The plaintiff class herein is presently comprised of  
said inmates at the Mississippi State Penitentiary at  
Parchman who are adherents of the Muslim religion. Order  
filed August 17, 1982, page 2. (Emphasis added)

3. Following the filing of counsel's Third Report,  
individual members of the class at Mississippi State  
Penitentiary (MSP) wrote letters to Plaintiff class counsel  
complaining, inter alia, that the proposed agreement's

10 hours of Imam time per week for CMCF, and 10 hours of Imam time per week for SMCI.

The 20 hours per week of Imam time to be spent on Muslim affairs at MSP is approximately equal to the amount of time a full-time Imam on the Chaplain's staff would be able to spend specifically on Muslim affairs. All chaplain's MSP staff members, have many general and non-denomination-specific duties and responsibilities.

The 10 hours per week of Imam time to be spent on Muslim affairs at each facility will be provided by an Imam living near each facility to conduct Jum'ah services every Friday, as well as engage in additional instruction/counseling with these prison members of the plaintiff class.

F. Plaintiffs' class counsel will request, pursuant to the terms of the DOC contract with them, that the authorities operating the two private prisons, Marshall County Correctional Facility (MCCF) (Wackenbut) and Delta Correctional Facility (DCF) (Corrections Corporation of America), independently provide/finance an Imam at each of these prisons 10 hours of Imam time per week at \$15 per hour. The DOC will be responsible for providing/financing these services at the private prisons if, for any reason, the private operators do not provide same.

5. An Order incorporating the above points of agreement will be drafted this week, and, when counsel's signatures

CERTIFICATE OF SERVICE

I, Ronald Reid Welch, attorney for plaintiffs in the foregoing cause, do hereby certify that I have this day mailed a true and correct copy of **COUNSEL'S FOURTH REPORT TO THE COURT** via United States Postal Service, first-class postage prepaid, to the following counsel for defendant:

John Edward Vincent  
Senior Attorney, Legal Department  
Department of Corrections  
Parchman, MS 38738

This, the 21 day of December, 1996.



Ronald Reid Welch